

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA, §
§
Plaintiff-Respondent, §
§
VS. § CRIMINAL ACTION NO. H-96-116
§
KEVIN RANDLE, §
§
Defendant-Movant. §
§
(Civil No. H-01-1962) §

ORDER

Kevin Randle has filed a third request for sentence reduction. He requests immediate release after serving what he calculates to be 14 years and 9 months based on a sentence reduction under 18 U.S.C. § 3582(c)(2). Randle is required to serve no less than 240 months, due to the mandatory statutory minimum term of 20 years under 21 U.S.C. §§ 841(a)(1)(A) and 851. Although the guideline imprisonment range has been reduced due to a recent amendment regarding cocaine base offenses, a sentence reduction is not authorized by statute. The motion is denied.

SIGNED on May 3, 2011, at Houston, Texas.



Lee H. Rosenthal
United States District Judge